

REMARKS

Before turning to the Official Action, the applicant is making a minor amendment to the drawings and to the specification. In the PCT specification, as published, there are two sheets labeled Fig. 9. This amendment amends them so that the first figure 9 becomes Figure 9A and the second figure 9 becomes Figure 9B. Proposed drawing amendments in red ink format and new formal drawings are submitted herewith for the Examiner's consideration.

The specification has been amended so as to be consistent with the renumbering of the figures.

Now turning to the Official Action, in the Official Action the Examiner sets forth a six-way restriction requirement asserting that the claims in this application fall into six separate groups.

The applicant hereby provisionally elects the claims of Group I, namely claims 1-12, for initial examination in this application, with traverse.

In the Official Action, with respect to Groups II, III, and VI, the Examiner asserts that subsection (4) of 37 C.F.R. 1.475 applies. However, then the Examiner goes on to say that subsection (4) really does not apply before the aforementioned groups "fail to recite the manner in which they are specifically designed to carry out the method of Group I". With all due respect, it is believed that the Examiner is reading a requirement into the rule that does not exist in the rule. There is nothing in the rule that says that the claims have to "recite the manner in which they are specifically designed" for carrying out the method of another group of claims.

Looking at this issue in another way, suppose the applicant had filed two separate patent applications, one with claims 1-12 and another with three claims corresponding to claims 13-15.

Would the Examiner hesitate to issue double patenting rejection if the applicant had done that given the similarities in the independent claims? It is suggested that the Examiner, in all likelihood, would have not hesitated to make a double patenting rejection if the applicant had done that and therefore if all those claims coexist in the single application, the Examiner should also not then issue a restriction requirement against such claims.

The rationale provided by the Examiner for restricting Groups II, III, and VI on pages 4-6 of the Official Action is clearly improper and should be withdrawn.

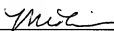
Reconsideration is respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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(Date of Deposit)

Mia Kim



(Signature)

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(Date)

Respectfully submitted,



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